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Facsimile Cover Sheet

To:	Exr. Kieu Oahn BUI	From:	Scott Charles Richardson
Fax:	571-273-8300	Date:	December 15, 2007
Phone:		Pages:	17 (including fax cover)
Your Ref.:	U.S. serial no. 10/764,678	Our Ref.:	atty docket: GTW-0138/P1263.1
Re:	Amendment fr non-final Office Action of Sept. 19, 2007		

Comments:

Provisional Authorization to charge Deposit Acct 50-0839 is provided.

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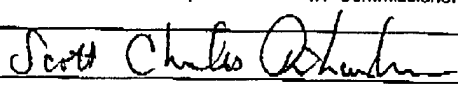
PTO/SB/21 (09-04)

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/764,678 (conf. no. 9447)	
	Filing Date	January 26, 2004	
	First Named Inventor	Theodore WUGOFSKI	
	Art Unit	2623	
	Examiner Name	Kieu Oanh T. BUI	
Total Number of Pages in This Submission	16	Attorney Docket Number	GTW-0138/P1263US01

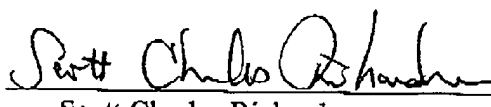
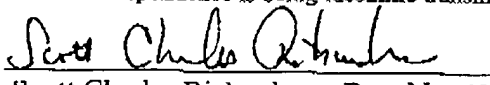
ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Petition <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below): 1) Telephone Interview (11/8/2007) 2) In-Person Interview (12/14/2007)
Remarks Provisional Deposit Acct 50-0439 authorization provided in Amendment.		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm Name	The Brevetto Law Group, PLLC	
Signature		
Printed name	Scott Charles Richardson	
Date	December 15, 2007	Reg. No. 43,436

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.		
Signature		
Typed or printed name	Scott Charles Richardson	Date December 15, 2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

In you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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AMENDMENT FEE TRANSMITTAL LETTER (conf. no. 9447)				Attorney Docket No: GTW-0138/P1263UA01		
Application Serial Number: 10/764,678	Filing Date: January 26, 2004	Examiner: Kieu Oanh T. BUI	Art Unit: 2623			
Invention: SYSTEM FOR USING CHANNEL AND EVENT OVERLAYS FOR EVOKING CHANNEL AND EVENT RELATED FUNCTIONS						
TO THE COMMISSIONER FOR PATENTS: Transmitted herewith is an amendment in the above-identified application. The fee has been calculated as shown below.						
CLAIMS AS AMENDED						
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	NO. OF EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	20	MINUS	23	0	\$50	\$ 150
INDEP. CLAIMS	4	MINUS	4	0	\$200	\$ 0
_____ Petition is hereby made under 37 CFR 1.136(a) to extend the time for response to the Office Action of _____ to and through _____, comprising an extension of the shortened statutory period of: _____ one month (\$120.00) _____ three months (\$1,020.00) _____ two months (\$450.00) _____ four months (\$1,590.00)						
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						
1. _____ A check for the amount of \$ _____ is enclosed. 2. <input checked="" type="checkbox"/> The Director is hereby authorized to charge \$ <u>150</u> to cover the payment of the fee(s) indicated to Deposit Account No. <u>50-0439</u> . A duplicative copy of this form is enclosed. 3. <input checked="" type="checkbox"/> The Director is hereby authorized to charge any deficiency in the payment of the required fee(s) or credit any overpayment to Deposit Account No. <u>50-0439</u> . 4. _____ Payment by credit card. Form PTO-2038 is attached. 5. _____ Additionally, enclosed herewith is (are): _____						
<u>December 15, 2007</u> date		 Scott Charles Richardson Reg. No. 43,436				
I hereby certify that this Correspondence is being deposited with the United States Postal service with sufficient postage for first class mail in an envelope address to the Commissioner for Patents, Mail Stop PCT, P.O. Box 1450, Alexandria, VA 22313-1450, or the correspondence is being facsimile transmitted to the USPTO, on .						
 Scott Charles Richardson, Reg. No. 43,436					Total Pages <u>16</u> Faxed / Enclosed	

**RECEIVED
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PATENT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Theordore WUGOFSKI	Conf. No.: 9447
Application No.: 10/764,678	Art Unit: 2623
Filed: January 26, 2004	Examiner: Kieu Oanh T. BUI
Title: SYSTEM FOR USING CHANNEL AND EVENT OVERLAYS FOR EVOKING CHANNEL AND EVENT RELATED FUNCTIONS	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**TELEPHONE INTERVIEW SUMMARY**
(November 8, 2007 Telephone Interview)

Sir:

The applicant's representative, Scott Richardson, contacted Examiner Bui by telephone on November 8, 2007 to inquire about the finality of the pending Office Action dated September 19, 2007. The Office Action Summary indicates that the paper is a final Office Action, even though it is the first Office Action following the Request for Continuing Examination (RCE) filed August 20, 2007. (The RCE was filed in response to receiving an Advisory Action denying entry of the After-Final Amendment of June 12, 2007.)

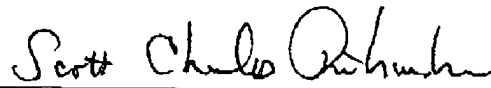
Examiner Bui pointed out that the finality indicated in the Office Action Summary is merely a typographical error. The conclusion of the Detailed Action (page 6) does not indicate that the Office Action is final. Examiner Bui said to ignore the

typographical error in the Office Action Summary, and instead treat the Office Action of September 19, 2007 as a non-final Office Action.

CONCLUSION

In the event any unresolved issues remain, the Examiner is kindly invited to contact applicant's representative, Scott Richardson, by telephone at (571)970-6835 so that such issues may be resolved as expeditiously as possible.

Respectfully submitted,



Scott Charles Richardson
Reg. No. 43,436

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Date: December 15, 2007

**RECEIVED
CENTRAL FAX CENTER**Attorney Docket No.: GTW-0138 (P1263US01)
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Theodore WUGOFSKI	Conf. No.: 9447
Application No.: 10/764,678	Art Unit: 2623
Filed: January 26, 2004	Examiner: Kieu Oanh T. BUI
Title: SYSTEM FOR USING CHANNEL AND EVENT OVERLAYS FOR EVOKING CHANNEL AND EVENT RELATED FUNCTIONS	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**IN-PERSON INTERVIEW SUMMARY**
(December 14, 2007 In-Person Interview)

Sir:

The applicant appreciates the courtesies shown by Examiner Bui to applicant's representative, Scott Richardson, during the in-person interview conducted on December 14, 2007. This Interview Summary is being filed in conjunction with a Request for Continuing Examination (RCE) and Amendment to the application reflecting the discussion of the interview.

During the interview the Examiner and applicant's representative discussed various features of the invention, including aspects of the claims such as the "control corresponding with at least one programming function related to the [first] channel." Although agreement was not reached as to whether the present claims read on the cited art of the pending rejection, the Examiner and applicant's representative did agree about

claim language to overcome the pending rejection, namely, "wherein said control is one of a plurality of controls including a recording control for recording the at least one channel." Claims 1, 7 and 13 have been amended to recite this language, and claim 17 has been amended in a similar manner consistent with the terms recited in that claim. Accordingly, a full examination on the merits is earnestly requested in view of the present claim amendments.

CONCLUSION

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. However, in the event there are any unresolved issues, the Examiner is kindly invited to contact applicant's representative, Scott Richardson, by telephone at (571)970-6835 so that such issues may be resolved as expeditiously as possible.

Respectfully submitted,



Scott Charles Richardson
Reg. No. 43,436

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Date: December 15, 2007